

WORKERS' COMPENSATION POLICY MANUAL

This manual was developed by the Workers' Compensation Office in 1990, as an effort to clarify the City's position as it relates to on-the-job injuries.

The intended use of this manual is to inform employees of rules and regulations of Workers' Compensation and formalize the administrative process.

TO ACCESS ANY WORKERS' COMPENSATION REPORT OR FORM, PLEASE CLICK ON THE WORKERS' COMPENSATION FORMS LINK ON THE WEB PAGE.

WORKERS' COMPENSATION BENEFIT INFORMATION

1. An employee who is injured while performing job related activities is entitled to benefits that are a part of the State of Alabama Workers' Compensation Law.
2. If an employee incurs an applicable injury, said employee shall be entitled to full payment for all medical expenses related to the injury. In addition, he/she shall receive compensation for lost wages during the period of time when he/she had to miss work due to the injury. (A determination of exact computations can be received from the Workers' Compensation Office).
3. In order for these benefits to be received the following procedures must be followed:
 - a. All injuries, regardless of severity, are to be reported immediately to the employee's supervisor. (See section 1.13 Workers' Compensation Manual).
 - b. If the injury isn't reported within five days of the date of injury, all benefits to the date of notification shall not be the City's responsibility.
 - c. The injured employee will be seen by a City authorized physician; however, a second opinion may be received by submitting a request to the Workers' Compensation Office.
 - d. Before seeing the approved physician, an employee must obtain a Physician Authorization and Treatment Report. This must be returned to the Workers' Compensation Office before any expenses will be paid.
4. Any other questions about Workers' Compensation can be answered by referring to the City of Montgomery Workers' Compensation Manual or the Workers' Compensation Office, located in the Finance Department.

WORKERS' COMPENSATION POLICY SUMMARY

PURPOSE	1.01
POLICY	1.02
RESPONSIBILITY	1.03
REFERENCE	1.04
ORGANIZATION	1.05
DEFINITIONS	1.06
EVALUATIONS AND TREATMENT OF INJURIES	1.07
FORMS FOR WORKERS' COMPENSATION	1.08
MEDICAL EXPENSES	1.09
SECOND OPINIONS	1.10
LIGHT DUTY	1.11
COMPENSATION FOR LOST TIME	1.12
ACCIDENT REPORTING	1.13
TRANSPORT OF INJURED EMPLOYEES	1.14
INVESTIGATION	1.15
NEW EMPLOYEE BRIEFING	1.16
AMENDMENTS	1.17

SECTION 1

ON-THE-JOB-INJURIES

(WORKERS' COMPENSATION)

- 1.01 PURPOSE:** To establish policies and procedures regarding treatment, investigation, and reporting of injuries resulting from on-the-job accidents/incidents.
- 1.02 POLICY:** Any employee of the City of Montgomery shall receive appropriate medical treatment if he/she has been injured in the performance of duties ascribed to his/her occupation. All employee injuries shall be reported immediately regardless of severity. Each accident/incident shall be investigated to determine cause and means of future prevention.
- 1.03 RESPONSIBILITY:** Department Heads, All Employees
- 1.04 REFERENCE:** State of Alabama Workers' Compensation Law
- 1.05 ORGANIZATION:** The Workers' Compensation Office administers benefits that result from on-the-job injuries. The office is located in City Hall, Room 108. Managerial responsibility of Workers' Compensation is held by the Risk Manager.
- 1.06 DEFINITIONS:**
- A. MINOR INJURY:** An injury which does not require extensive treatment and the injured employee is ambulatory (able to move on his/her own.)
 - B. MAJOR INJURY:** An injury which requires immediate and/or extensive treatment and /or the injured is not ambulatory.
- 1.07 EVALUATION AND TREATMENT OF INJURIES:**
- A. MINOR INJURIES:**

All employees who incur minor injuries and are in need of treatment should be referred to a City authorized physician.
 - B. MAJOR INJURIES:**

All employees who incur major injuries shall receive on-site assistance from City fire medics, and/or private ambulance services where deemed necessary. Medical treatment will

be provided by approved physicians, when available, the physician's preferred medical center, Jackson Hospital Emergency Room or Baptist East Hospital Emergency Room.

C. INJURIES OCCURRING OUTSIDE OF MONTGOMERY:

Employees injured while conducting authorized City business outside the Montgomery City limits will obtain the needed medical attention at a physician's office or hospital if the injury is determined by the employee to be an immediate danger to his/her health. Immediately upon his/her return to Montgomery, the injured employee shall notify his/her supervisor of the accident/incident.

D. PRE-EXISTING CONDITIONS:

When an employee is hired by the City of Montgomery, any pre-existing handicaps, weaknesses, or other limiting factors become the liability of the City. As such, any conditions which are aggravated due to a job related incident and cause disability, temporary or permanent, are covered under Workers' Compensation.

1.08 FORMS FOR WORKERS' COMPENSATION: (See Website to access forms)

- A.** Whenever an on-the-job injury occurs, the responsible department should, if the employee is able, have him/her sign the notification statement on the City of Montgomery Claim Control Form. If the employee is unable to sign the notification immediately after the injury, he/she should sign it as soon as possible thereafter. The Claim Control Form should be enclosed with the First Report of Injury Form and submitted to the Workers' Compensation Office.
- B.** The department official should, if necessary, then set up an appointment for the employee to see a City authorized physician. The employee will take the Physician Authorization and Treatment Report to the physician's office.
- C.** The Physician Authorization and Treatment Report should be returned to the Workers' Compensation Office where it will become a part of the employee's file and used to control the claims resulting from such injury. It is the employee's responsibility to return the report; the doctor's office may be contacted in order to gain access to the report.
- D.** Following the initial treatment of the employee's injury, any additional referrals for medical or rehabilitation services must be approved by the Workers' Compensation Office. The type, reason, and authorization for such will be documented on the Claim Control Form.

1.09 MEDICAL EXPENSES:

- A.** All reasonable medical expenses incurred as a result of the on-the-job injury will be paid as long as the treating physician approves the necessity of such.
- B.** The City will not be held liable for any medical expense that is a result of unauthorized treatment.

- C. The Risk Manager shall be notified anytime a department feels a treatment is unauthorized, and he/she will make a decision as to City liability.
- D. An employee has the right to deny Workers' Compensation benefits and pursue medical attention from his/her personal physician. This practice is not to be encouraged; however, if the employee insists, he/she should sign a release which will be included in the employee's departmental as well as Workers' Compensation file.

1.10 SECOND OPINIONS:

- A. Whenever an employee is receiving benefits under the Workers' Compensation statute, he/she is entitled to a second opinion when he/she disagrees with the City authorized physician.
- B. When a request for a second opinion is received by the Workers' Compensation Office, a list of four physicians, each a part of a different group practice, will be given to the employee. From that list, he/she may choose one physician for a second opinion at the City's expense.
- C. All applicable portions of section 1.08 are still enforced.

1.11 LIGHT DUTY:

- A. If an injured employee's physician returns him/her to light duty status, said physician must return such orders with specific limitations as to work activities.
- B. If the injured employee's department head has no applicable light duty assignments, he/she should state that in a memo to the Risk Manager.
- C. If no suitable light duty work can be found for the employee, temporary compensation benefits will continue until the employee is returned to regular duty.

1.12 COMPENSATION FOR LOST TIME:

- A. If an employee is injured on the job and requests to see a City authorized physician, that employee is paid in full for the portion of the day that is involved. It is paid as regular time.
- B. The first three calendar days following an on the job injury are holding days. This lost time will be paid as soon as the employee returns to work. It will be paid with the employee's choice of leave unless otherwise directed or the time lands on days the employee is not scheduled to work. This is not valid if Section 1.12 (D) holds true.
- C. Temporary Total Disability compensation and supplemental benefits will be paid as long as the injured employee is required to miss work per doctor's orders.
- D. If the employee remains off work due to the injury for a total of 21 calendar days, he/she is reimbursed for the three holding days.

- E. If the employee is returned to work per doctor's orders, temporary total compensation ceases.
- F. Permanent Partial, Permanent Total disability claims will be coordinated through the Risk Manager once the employee reaches maximum medical improvement.
- G. If the employee refuses medical treatment or physical rehabilitation offered by the City, compensation shall cease until such time as the employee submits himself/herself to the treatment.
- H. If the employee fails to give notice that he/she has been injured on-the-job within 5 days of the date of injury, all benefits (compensation and medical expenses) accrued to that time shall not be the responsibility of the City of Montgomery.
- I. If the employee fails to give notice that he/she has been injured on-the-job within 90 days of the date of injury, the City's liability for compensation shall cease.
- J. If the City of Montgomery, one of its officials, or employees prevents another employee from injury notification, or the employee is unable physically or mentally to notify the City of an injury, section 1.12 (H and I) shall not be valid.
- K. Compensation shall be forever barred if, under the statute of limitations, two years elapse between the date of injury and the first claim for compensation with or without official notification.
- L. The responsible department of an employee who has had to miss any work following an on-the-job accident should send the employee's time sheet to the Workers' Compensation Office by noon Thursday at the end of a pay period.

1.13 ACCIDENT REPORTING:

- A. Immediately upon occurrence of an injury, the employee's department head or so delegated official shall be notified.
- B. The department head will assign a department official the duty of preparing a First Report of Injury for all minor and major injuries. Three copies of the First Report of Injury, with original signatures, shall be returned to the Workers' Compensation Office as soon as possible but not later than the next working day. The "First Report" is a claim for benefits not an admission of responsibility.
- C. If a department head feels that an injury is questionable, he/she should submit a memo along with the "First Report" stating the reason why he/she feels that the injury should not be covered under Workers' Compensation, and the Workers' Compensation Office will determine the liability as to the injury in question based on the opinions set forth by the department head, and legal requirements.

- D. Major injuries will be reported to the Workers' Compensation Office by telephone as soon as a department official is made aware of the injury. This will ensure that a City authorized physician is made aware of the employee's disposition. (Section 1.13 (B) still applies).
- E. Section 1.08 shall be strictly enforced once the injury has been "reported."
- F. A supplemental report shall be completed by a departmental official each time an employee has to miss his/her fourth calendar day due to an on-the-job injury or the employee returns to work following an absence, greater than three calendar days, caused by an on-the-job injury. The report shall be sent to the Workers' Compensation Office as soon as one of the above mentioned work status changes have been determined. If an employee misses work due to this same injury for an additional period of time, another supplemental form must be completed.

1.14 TRANSPORT OF INJURED EMPLOYEES:

- A. The responsible departments will ensure transport of employees, who have incurred minor injuries, to the City authorized physician's office.
- B. If the employee's injury is major, City fire medics shall be summoned to the scene of the accident. Transport of such injured shall be by ambulance (Haynes Ambulance) if deemed necessary by the fire medics.
- C. Following the initial occurrence of the accident, transport of the employee to authorized medical appointments shall be the employee's responsibility unless determined otherwise by the employee's department head.
- D. If a physician determines that transport of an employee by ambulance after the initial occurrence is medically necessary, then the City shall be responsible for such transportation expense.

1.15 INVESTIGATION:

- A. If the Risk Manager determines that an accident is of a suspicious nature or that a safety or departmental regulation has been broken, he/she has the right to investigate said accident/incident.
- B. The investigation shall include but not necessarily be limited to a narrative report as to the facts of the accident, its administrative handling, and recommendations as to future prevention. The report shall be submitted to the appropriate department head as a risk control measure and appropriate action as deemed by the department head shall be taken.
- C. Any disciplinary action taken as a result of an on-the-job accident shall adhere to policies and procedures set forth in the City of Montgomery Personnel Policies.
 - Such disciplinary actions will be reported to the Risk Manager as they relate to Workers' Compensation.

1.16 NEW EMPLOYEE BRIEFING:

All new employees should be briefed as to the requirements and benefits associated with Workers' Compensation. To aid in the briefing process, a Workers' Compensation Informational Sheet is available from the Workers' Compensation Office.

1.17 AMENDMENTS TO WORKERS' COMPENSATION POLICY:

Any amendments made to this policy must be cleared through the Risk Manager who will then proceed with the policy amending process.